

NO. 25746

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

1250 OCEANSIDE PARTNERS, a Hawaii limited partnership,
Petitioner,

vs.

THE HONORABLE RONALD IBARRA, Respondent.

ORIGINAL PROCEEDING

ORDER DENYING PETITIONER 1250
OCEANSIDE PARTNERS' PETITION FOR A WRIT OF MANDAMUS DIRECTING
THE HONORABLE RONALD IBARRA TO RESCIND HIS SUA SPONTE ORDER
TRANSFERRING THE HEARING ON 1250 OCEANSIDE PARTNERS' MOTION FOR
THE DISQUALIFICATION OR RECUSAL OF THE HONORABLE RONALD IBARRA
FROM PRESIDING AS THE JUDGE IN THIS LAWSUIT AND ITS MOTION
FOR STAY OF PROCEEDINGS TO THE HONORABLE RIKI MAY AMANO
(By: Levinson, Acting C.J., Nakayama, J., Circuit Court Judge
Waldorf, in place of Acoba, J., who is unavailable, Circuit Court
Judge Graulty, assigned by reason of vacancy, and Circuit Judge
Chan, for Moon, C.J., who is absent)

Upon consideration of Petitioner 1250 Oceanside
Partners' petition for a writ of mandamus directing the Honorable
Judge Ronald Ibarra to rescind his sua sponte order transferring
the hearing on 1250 Oceanside Partners' motion for the
disqualification or recusal of the Honorable Ronald Ibarra from
presiding as the judge in the lawsuit and its motion for stay of
proceedings to the Honorable Riki May Amano, the papers in
support, and the records and files herein, it appears that
Petitioner fails to demonstrate that it is entitled to a writ of
mandamus. Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to any remedy Petitioner may have by way of appeal from any adverse judgment.

DATED: Honolulu, Hawai'i, April 10, 2003.

Bert T. Kobayashi, Jr.,
George Gusman, III,
Robert D. Triantos, and
Edmund W.K. Haisuka for
petitioner